IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TEXARKANA DIVISION

STANLEY HAWKINS, INDIVIDUALLY	§	CASE NO. 5:13-cv-00121
AND AS INDEPENDENT EXECUTOR	§	
OF THE ESTATE OF ELIZABETH	§	
PAIGE HAWKINS, DECEASED;	§	
AND LACY PAIGE McKEE,	§	
	§	
Plaintiffs,	§	
	§	
v.	§	
	§	
NEXION HEALTH MANAGEMENT, INC.;	§	
NEXION HEALTH AT BOGATA, INC.,	§	
d/b/a REGENCY HEALTHCARE AND	§	
REHABILITATION CENTER AT	§	
RED RIVER; NEXION HEALTH	§	
LEASING, INC.; NEXION HEALTH OF	§	
TEXAS, INC.; AND NEXION HEALTH, INC.,	§	
	§	
Defendants.	§	
	-	

MOTION TO DISMISS CLAIM OF LACY PAIGE MCKEE

COMES NOW Motion to Dismiss the Claim of Lacy Paige McKee, previously a Plaintiff in the above numbered and entitled cause, and would show:

I.

The claim of Lacy Paige McKee was previously dismissed from the pleadings in the above numbered and entitled cause.

II.

This motion is to formally dismiss the claim of Lacy Paige McKee only.

Respectfully submitted,

SMITH WEBER, L.L.P.

5505 Plaza Drive - P.O. Box 6167 Texarkana, TX 75505 Telephone: 903/ 223-5656

Facsimile: 903/223-5652

By: /s/ J. Michael Smith

J. Michael Smith - *Lead Attorney* Texas State Bar ID No. 18630500 E-Mail: msmith@smithweber.com

C. David Glass

Texas State Bar No. 24036642 E-mail: <u>dglass@smithweber.com</u>

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was electronically filed with the Clerk of the Court using the CM/ECF system on this 15th day of May, 2015, which will send notification of such filing to the following parties:

Gregory N. Ziegler C. Edward Johnson MacDonald Devin, P.C. 3800 Renaissance Tower 1201 Elm Street Dallas, TX 75270

/s/ J. Michael Smith
J. Michael Smith